

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RAVAGO AMERICAS LLC,	§	
	§	
Plaintiff,	§	Civil Action 4:19-00036
v.	§	
	§	
VINMAR INTERNATIONAL, LTD.,	§	
PREMIER POLYMERS, LLC and	§	
VINMAR POLYMERS AMERICA, LLC,	§	
	§	
Defendants.	§	

Status Report of ESI Special Master, Craig Ball

Your Honor:

Forensic analysis of the electronic evidence is proceeding apace, aided by good communication and cooperation from counsel and their experts. Considering the large volume of data and number of custodians under scrutiny, I'm largely satisfied with the progress to date. However, with some setbacks encountered and the press of other demands, my analysis is not yet complete. I expect to need another 30-45 days to fulfill the Court's mandate.

I've endeavored to narrow the scope of the inquiry, by consensus wherever possible, without denying Plaintiff the information granted them by the Court. I've tried not to limit or intrude upon counsels' primary duty to identify, review, and produce accessible, non-privileged information, and I've sought to ensure that my work has been transparent at all times, enlisting the guidance of all parties' experts to ensure that the artifacts and indicia I examine are the same ones they deem significant. As practicable and reasonable, I am pursuing the searches the parties propose and those I deem suited to the task. I do the independent forensic analysis, but I look to the parties to do discovery.

To date, the Vinmar defendants have supplied the contents of 28 hard drives, phones and tablets used by six Vinmar employees and officers. Additional images of these devices have been supplied because they were obtained at different times since 2018. From these sources alone, more than 16 million discrete items—well over 10 terabytes of data—have been catalogued and searched. The contents of two Vinmar servers selected for search by Plaintiff have been catalogued and indexed, but still need to be searched and reviewed. These are not daunting volumes, but the work entails weeks of machine time to unpack, process and search the data, then a good deal of my time to interpret the results.

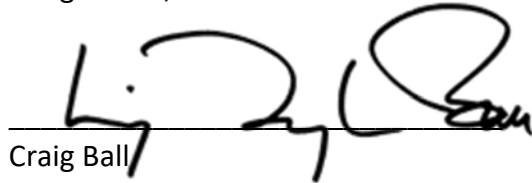
Regrettably, quite a few of the device images supplied proved to be incomplete through oversights by Vinmar's e-discovery service provider. Large swaths of the data were overwritten with zeroes between the time they were acquired from the original evidence and duplicates were supplied for my use. I'm satisfied this was the product of a technician's unwitting mistake and *not* an intentional effort to obstruct my examination. Vinmar has cooperated promptly to correct its contractor's error, but it will cause some delay as I must reprocess and re-assess the corrected images when received. I apologize to the Court for my contribution to the delay. Had I detected the errors sooner, the problem would have been fixed earlier.

The conclusion of my work will depend upon whether there are other sources of information available to fill gaps. Roughly a third of the devices supplied were put into service in 2019 and 2020, after the events most central to the case. These belated sources may prove to be the only sources available or there may be alternatives to be explored. I've not pressed for more sources pending a determination of what can be learned from what Vinmar has turned over to date.

I again want to assure the Court that both Plaintiff's and Defendants' counsel have been generous in their cooperation, responsiveness, and reasonableness. I appreciate their patience and support and the Court's.

Respectfully Submitted,

Craig D. Ball, P.C.

A handwritten signature in black ink, appearing to read 'Craig D. Ball', is written over a horizontal line.

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Cc: All Counsel, Via Email